

**STATE OF NEW MEXICO  
ENERGY MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

**IN THE MATTER OF**

**PROPOSED AMENDMENTS TO SECTION 19 OF 19 15 16 NMAC AND  
SECTION 16 OF 19 15 7 NMAC, EXTENDING THE TIME FOR REPORTING  
COMPLETION OF HORIZONTAL WELLS FROM 20 TO 45 DAYS, AND  
PROPOSED FURTHER AMENDMENT OF SECTION 19 OF 19 15 16 NMAC TO  
REQUIRE OPERATORS TO REPORT CERTAIN INFORMATION  
REGARDING HYDRAULICALLY FRACTURED WELLS IN THE  
FRACFOCUS CHEMICAL DISCLOSURE REGISTRY**

**CASE NO 15726**

**OIL CONSERVATION DIVISION'S NOTICE OF  
PROPOSED MODIFICATIONS OF RULE CHANGES**

Pursuant to 19 15 3 11(C) NMAC the Division herewith submits a proposal to modify the changes to 19 15 16 19 NMAC that are proposed in Oil Conservation Commission Order No R 14353 issued in this case on May 18 2017

**Text of Recommended Modifications**

[1] The text of the Division's proposed modifications is set forth in Exhibit A to this pleading. Changes from the originally proposed amendment to 19 15 16 19 NMAC are shown on such exhibit in red type font. Added language is shown in bold red type format.

**Impact and Reasons for Adoption the Recommended Modifications**

[2] The modifications will require filing of fracture stimulation disclosure reports for any fracture treatments of a well instead of requiring disclosure only at the time of initial completion. This will assure that more information is available to the public and will have little impact on industry since most companies report this information to FracFocus now.

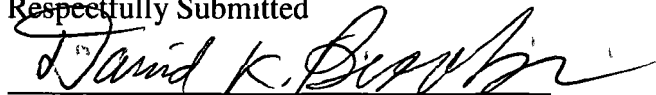
[3] The modifications will dispense with the requirement for filing of copies of FracFocus disclosures with the Division. This will simplify reporting and have minimal impact on public access or division operations since this information will be readily available on the FracFocus website.

[4] The modifications will provide alternatives to filing fracture stimulation disclosures with the FracFocus Chemical Disclosure Registry if that registry becomes temporarily or permanently unavailable. The FracFocus Registry is not controlled by the Division or any state agency, thus necessitating the adoption of this modification to provide information to the public in event of outages.

[5] Finally, the proposed modifications will extend the time for filing Form C 105 Completion Reports from 20 days to 45 days for all wells and not for horizontal wells only. This will simplify completion reporting compared to having different times for different types of wells and will not impair Division operations.

WHEREFORE the Division requests that the proposed modifications be adopted as 19 15 16 19 NMAC in lieu of the amendment previously proposed.

Respectfully Submitted



David K. Brooks  
Assistant General Counsel  
Energy Minerals and Natural Resources Department  
1220 S. St. Francis Drive  
Santa Fe, NM 87505  
(505) 476 3415  
Attorney for Oil Conservation Division

EXHIBIT A to PROPOSED MODIFICATIONS OF RULE CHANGES

**19.15.16.19 LOG, COMPLETION AND WORKOVER REPORTS**

A. Completion report. Within ~~20 days~~ (45 days in the case of a horizontal well) after completion of a well drilled for oil or gas, or recompletion of a well into a common source of supply, the operator shall file a completion report with the division on form C-105. For the purpose of 19.15.16.19 NMAC, a hole drilled or cored below fresh water or that penetrates oil- or gas-bearing formations or that an owner drills is presumed to be a well drilled for oil or gas. The operator shall signify on form C-105, or alternately on form C-103, whether the well has been hydraulically fractured.

B. Hydraulic fracture disclosure. For a hydraulically fractured well, the operator shall also complete and file ~~the division's hydraulic disclosure form,~~ with the FracFocus chemical disclosure registry, and with the division, a completed hydraulic fracturing disclosure within 45 days after completion, recompletion or other hydraulic fracturing treatment of the well. The hydraulic fracturing disclosure shall include the well API number; the well name; the well number; the well location by unit, lot, section, township and range; the county where the well is located; the well's surface and bottom hole locations by footage from the section line; the operator's name and address; the operator's OGRID; the operator's phone number; the fracture date; the well's production type (oil or gas); the pool code; the well's gross fractured interval; the well's true vertical depth; the total volume of fluid pumped; and a description of the hydraulic fluid composition and concentration listing each ingredient and for each ingredient the trade name, supplier, purpose, chemical abstract service number, maximum ingredient concentration in additive as percentage by mass, maximum ingredient concentration in the hydraulic fracturing fluid as percentage by mass; certification by the operator that the information included on the hydraulic fracture disclosure form is true and complete to the best of the operator's knowledge and belief; and the signature, printed name, e-mail address and title of the operator or operator's designated representative. be completed on a then current edition of the hydraulic fracturing fluid product component information form published by FracFocus and shall include complete and correct responses disclosing all information called for by the FracFocus form; provided that:

1. The division does not require the reporting of information beyond the material safety data sheet data as described in 29 C.F.R. 1910.1200.

2. The division does not require the reporting or disclosure of proprietary, trade secret or confidential business information.

C. If the FracFocus chemical disclosure registry is temporarily inoperable, the operator of a well on which hydraulic fracturing treatment(s) were performed shall file the information required by the then most recent FracFocus form with the division along with Well Completion Report (Forms C-105) or Sundry Notice (Form C-103) reporting the hydraulic fracture treatment and file the information on the FracFocus Internet website when the website is again operable. If the FracFocus chemical disclosure registry is discontinued or becomes permanently inoperable, the operator shall continue filing the information with the division until otherwise provided by rule or order.